

11/20/01

A

**UTILITY
PATENT APPLICATION
TRANSMITTAL**Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

2318-380

First Inventor

Sean V. TAVTIGIAN

Title

CHROMOSOME 17p-LINKED PROSTATE CANCER
SUSCEPTIBILITY GENE AND A PARALOG AND
ORTHOLOGOUS GENES

☒ **Assignee Information:** Myriad Genetics, Inc.; and The Hospital for Sick Children
Salt Lake City, Utah; and Toronto, Canada

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Assistant Commissioner of Patents
Box Patent Application
Washington, D.C. 20231

1. ☒ Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
3. ☒ Specification Total pages [99]
(preferred arrangement set forth below)
- Descriptive title of the invention
 - Cross references to Related Applications
 - Statement Regarding Fed sponsored R&D
 - Reference to sequence listing, a table or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings
 - Detailed Description
 - Claims
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 USC 113) (Total Sheets) [18]
5. ☒ Oath or Declaration (Total Pages) [9]
- a. ☐ Newly executed (original or copy)
- b. ☒ Copy from a prior application
(37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)
[Note Box 5 below]
- i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting
inventor(s) named in the prior application,
6. ☒ Application Data Sheet.

7. ☐ CD-ROM or CD-R in duplicate, large table
or Computer Program
8. Nucleotide and/or Amino Acid Sequence Submission
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☒ paper *(112 pages)*
- c. ☒ Statement Under 37 CFR §1.821(e)

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement
(when there is an assignee)
- ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement /PTO 1449
- ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s).
16. ☐ Request and Certification under 35 U.S.C.
122(b)(2)(B)(i).
17. ☐ Other:


17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below or in an
application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/564,805

Prior application information: Examiner S. Rawlings Group/Art Unit 1642

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under
Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The
incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

☒ Customer Number or Bar Code Label **6449**

Address	Rothwell, Figg, Ernst & Manbeck Suite 701-East, 555 13th Street, N.W.				
City	Washington	State	D.C.	Zip Code	20004
Country	U.S.A.	Telephone	202-783-6040	Fax	202-783-6031
Name	Jeffrey L. Ihnen, Reg. No. 28,957				
Signature				Date <i>20 November 2001</i>	

FEE TRANSMITTAL for FY 2001 (Large Entity)		Complete if Known	
		Application Number	New Application - Div. of 09/564,805
		Filing Date	Herewith
		First Named Inventor	Sean V. TAVTIGIAN
		Examiner Name	Unassigned
		Group Art Unit	Unassigned
Total Amount of Payment	(\$) 740.00	Attorney Docket Number	2318-380

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge additional fees and credit any overpayment to Deposit Account Number 02-2135 in the name of Rothwell, Figg, Ernst & Manbeck

☐ Charge any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status

2. ☒ Payment Enclosed

☒ Check

☐ Credit Card

FEE CALCULATION
1. FILING FEE

Fee Code	Fee \$	Fee Description	Fee Paid
101	740	Utility filing fee	[\$740.00]
102	330	Design Filing Fee	[]
103	510	Plant Filing Fee	[]
104	740	Reissue Filing Fee	[]
114	160	Provisional Filing Fee	[]

SUBTOTAL \$740.00

2. CLAIMS

Total Claims	Independent Claims	Multiple Dependent Claims	Extra Claims	Fee	Fee Paid
[03]	- 20** = [0]	x		\$18 =	[\$0]
				84 =	[\$0]
				280 =	[\$0]

**or number previously paid, if greater;

SUBTOTAL \$0.00

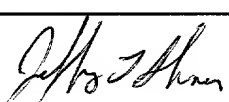
FEE CALCULATION (continued)
3. ADDITIONAL FEES

Fee Code	Fee Paid	Fee Description	Fee Paid
105	130	Surcharge - late filing fee or oath	[]
127	50	Surcharge - late provisional filing fee or cover sheet	[]
139	130	Non-English specification	[]
147	2,520	For filing a request for reexamination	[]
112	920	Requesting publication of SIR prior to Examiner action	[]
113	1,840*	Requesting publication of SIR after Examiner action	[]
115	110	Extension for reply within first month	[]
116	400	Extension for reply within second month	[]
117	920	Extension for reply within third month	[]
118	1,440	Extension for reply within fourth month	[]
128	1,960	Extension for reply within fifth month	[]
119	320	Notice of Appeal	[]
120	320	Filing a brief in support of an appeal	[]
121	280	Request for Oral Hearing	[]
138	1,510	Petition to institute a public use proceeding	[]
140	110	Petition to revive -unavoidable	[]
141	1,280	Petition to revive - unintentional	[]
142	1,280	Utility issue fee (or reissue)	[]
143	460	Design issue fee	[]
144	620	Plant issue fee	[]
122	130	Petitions to the Commissioner	[]
123	50	Processing fee under 37 CFR 1.17(q)	[]
126	180	Submission of Information Disclosure Statement	[]
581	40	Recording each patent assignment per property (times number of properties)	[]
146	740	Filing a submission after final rejection (37 CFR .129(a))	[]
149	740	For each additional invention to be examined (37 CFR 1.129(b))	[]
179	740	Request for Continued Examination (RCE)	[]
169	900	Request for expedited examination of a design application	[]
195	300	Publication fee for early, voluntary, or normal publication	[]
196	300	Publication fee for republication	[]
089	200	Filing application for patent term adjustment	[]
090	400	Request for reinstatement of term reduced	[]
Other fee (specify)			[]

* Reduced by Basic Filing Fee Paid

SUBTOTAL

\$

SUBMITTED BY		Complete (if applicable)			
NAME AND REG. NUMBER	Jeffrey L. Ihnen, Reg. No. 28,957				
SIGNATURE		DATE	20 November 2001	DEPOSIT ACCOUNT USER ID	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)
Sean V. TAVTIGIAN et al)
Serial No.: New- Div. of 09/564,805)
Filed: Herewith)
For: CHROMOSOME 17p-LINKED PROSTATE)
CANCER SUSCEPTIBILITY GENE AND A)
PARALOG AND ORTHOLOGOUS GENES)

11002 U.S. PTO
09/988687
11/20/01

LETTER PURSUANT TO 37 CFR 1.821(e)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In the matter of the above-identified divisional application, filed concurrently herewith, and in accordance with 37 CFR 1.821(e), Applicants note that the computer readable form of the Sequence Listing of the present application is identical to the computer readable form submitted in parent application Serial No. 09/564,805 on 05 May 2000. In accordance with 37 C.F.R. § 1.821(e), please use that computer readable form filed in the parent application as the computer readable form for the present application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer readable form that will be used for the present application.

The content of paper and computer readable copies of the sequence listing are identical.

Respectfully submitted,



Jeffrey L. Ihnen

Registration No. 28,957
Attorney for Applicants
ROTHWELL, FIGG, ERNST & MANBECK, P.C.
555 Thirteenth Street, N.W., Suite 701-E
Washington, D.C. 20004
(202) 783-6040